

2013 DRAFTING REQUEST

Bill

Received:	12/27/2013	Received By:	mglass
Wanted:	As time permits	Same as LRB:	
For:	Evan Goyke (608) 266-0645	By/Representing:	Ryan Knocke
May Contact:		Drafter:	mglass
Subject:	Veterans - miscellaneous	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
 Requester's email: **Rep.Goyke@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Grant for specialized court for veterans

Instructions:

This bill establishes a grant from WDVA to counties that have established, or are seeking to establish, a specialized court for veterans. The amount of the grant shall be \$250,000 for the biennium.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 1/31/2014			_____			
/P1	mglass 2/17/2014	wjackson 2/1/2014	jmurphy 2/3/2014	_____	lparisi 2/3/2014		
/1		wjackson 2/20/2014	jmurphy 2/20/2014	_____	mbarman 2/20/2014	mbarman 2/20/2014	

[Handwritten signature]
NOT NEEDED

FE Sent For:

<END>

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/?	mglass 1/31/2014			_____			
/P1		wjackson 2/1/2014	jmurphy 2/3/2014	_____	lparisi 2/3/2014		

FE Sent For:

1 wlj 2/19

James K
2/20

<END>

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/? mglass

/p1 Wjz

[Handwritten signature] 2/3
[Handwritten signature]
 Jm 2/2 +

FE Sent For:

<END>

100

To: Knocke, Ryan
Subject: RE: Rep. Goyke Veteran Bill Draft Request

From: Knocke, Ryan
Sent: Tuesday, January 21, 2014 9:36 AM
To: Gibson-Glass, Mary
Subject: FW: Rep. Goyke Veteran Bill Draft Request

Mary-

I hope this message finds you well. I believe my boss had spoken with you last week about his civil side on bill. I don't want to change the changes.

I still owed you an answer on where we would like the \$\$ to come from regarding our Veterans Courts bill. We had thought about taking money from the Veterans Tuition Reimbursement Program because we were notified that there would be a large amount of unused money during each year in the biennium.

We received the response below from LFB showing that. So this is where we would like the \$\$ to come from. We would like the amount to fund our idea to be \$250,000.

I hope this information is helpful. Please let me know if you have any questions on either draft!

- Ryan

Hi Ryan,

Here is the response I received from DVA. Let me know if you would like any more assistance with this proposal.

Grant

From: Parker, James [<mailto:James.Parker@dva.wisconsin.gov>]
Sent: Friday, January 17, 2014 3:13 PM
To: Cummings, Grant
Cc: Morgan, Charlie
Subject: RE: Veterans Tuition Reimbursement Program

From July 1, 2013 – December 30, 2013 we have spent \$250,671.69. Additional requests for the fall semester can come to us till February, 2014. We would project spending approx. \$475,000 from January 1, 2014 – June 30, 2014 based on previous fiscal year.

We have plans for utilizing some the authority remaining in this appropriation.

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prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

From: Cummings, Grant - LEGIS
Sent: Friday, January 17, 2014 9:49 AM
To: Parker, James
Cc: Morgan, Charles - LEGIS
Subject: RE: Veterans Tuition Reimbursement Program

Hi Jim,

Do you think you could send me a response on this question by early this afternoon?

Thanks,

Grant

From: Cummings, Grant
Sent: Wednesday, January 15, 2014 5:00 PM
To: Parker, James A - DVA (james.parker@dva.wisconsin.gov)
Cc: Morgan, Charlie
Subject: Veterans Tuition Reimbursement Program

Hi Jim,

It looks like as of December \$203,000 has been spent from the Veterans Tuition Reimbursement program appropriation 2(tf). This is out of a biennial appropriation of \$2.8 million. Could you tell me if the \$203,000 in expenditures to date includes all of the claims DVA anticipates for the summer and fall semesters of 2013? Also, does DVA anticipate spring 2014 expenditures will be roughly the same?

Thanks,

Grant Cummings, Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
1 East Main Street, Suite 301
Madison, WI 53703

Telephone: (608) 266-8742
FAX: (608) 267-6873
Email: Grant.Cummings@legis.wisconsin.gov

Veterans Court Bill

This bill establishes a grant from WDVA to counties that have established, or are seeking to establish, a specialized court for veterans. The amount of the grant shall be \$250,000 for the biennium.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3890/r/p1
MGG:/.....

D-N

no
later
than
Tues

WJ

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Gen Cat

- 1 AN ACT relating to: establishment of a veterans court grant program and
2 making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

action: ch 20 →

2013-14

2014-15

20.485 Department of Veterans Affairs, department of

5 (2) LOANS AND AIDS TO VETERANS

6 (tg) Veterans court program

7 20.485 (2) (tg) Title.

SECTION 1. 20.485 (2) (tg) of the
statutes is created to read:

SEG 0

125,000

125,000

tyf
1st
components
not
up
please
fix

SECTION 2. 20.485 (2) (tg) of the statutes is created to read:

20.485 (2) (tg) *Veterans court program.* Bienially, the amounts in the schedule for the veterans court program under s. 45.46.

SECTION 3. 45.46 of the statutes is created to read:

45.46 Veterans court grant program. The department shall establish a grant program to provide funding to counties for the operation of veterans courts, through which veterans who are accused of or convicted of crimes are offered alcohol and drug treatment programs, alternatives to ^{prosecution or} incarceration, or other types of assistance. The department shall establish criteria for awarding grants under this program. ^{that meet their needs as defendants}

SECTION 4. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (tf) of the statutes, as affected by the acts of 2013, the dollar amount is decreased by \$250,000 for the first fiscal year of the fiscal biennium in which this subsection takes effect to provide funding for the veterans court grant program established under section 45.46 of the statutes, as created (in this act.

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

PA
LRB-3890/24n

MGG:.....
WJ

Date

receiving

Since this program to establish veterans court is only receive \$250,000 biennially, I want to make sure that you are not expecting there to be only one grant. If a single grant is the intent of the legislation, this will need to be redrafted.

This draft creates an ongoing program and not a pilot program. OK?

You may wish to look at s. 165.95, which passed in this year's budget, to see if you want to incorporate requirements in this draft that are similar to those found in s. 165.95.

MB

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3890/P1dn
MGG:wlj:jm

February 3, 2014

Since this program to establish veterans court is receiving only \$250,000 biennially, I want to make sure that you are not expecting there to be only one grant. If a single grant is the intent of the legislation, this will need to be redrafted.

This draft creates an ongoing program and not a pilot program. OK?

You may wish to look at s. 165.95, which passed in this session's budget, to see if you want to incorporate requirements that are similar to those found in s. 165.95 in this draft.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215
E-mail: mary.gibson-glass@legis.wisconsin.gov

Gibson-Glass, Mary

instructions for / P1

From: Knocke, Ryan
Sent: Tuesday, February 04, 2014 8:39 AM
To: Gibson-Glass, Mary
Subject: FW: Draft review: LRB -3890/P1 Topic: Grant for specialized court for veterans
Attachments: 13-3890/P1.pdf; DraftersNote1.pdf

Mary-

Thank you for your work on the attached draft. To answer your drafter questions, Rep. Goyke asked that I forward the information and answers to you below. Could these revisions be made and a /p2 draft be sent to us? Thank you!

- Ryan

I am good with this draft. To the drafter questions:

1) I am good with the biennial grant of 125,000 - not just one large, lump sum. There aren't enough of these specialty courts yet, so those dollars may have gone unused, better to spread them out.

2) I am good with there being no pilot project provision.

3) I would like to incorporate the requirements passed in the budget to Wis. Stat. 165.95. The Vet Court grants should function with the same rules/restrictions as the TAD program

Thanks

Evan

From: LRB.Legal
Sent: Monday, February 03, 2014 9:42 AM
To: Rep.Goyke
Subject: Draft review: LRB -3890/P1 Topic: Grant for specialized court for veterans

Following is the PDF version of draft LRB -3890/P1 and drafter's note.



State of Wisconsin
2013 - 2014 LEGISLATURE



RMR

LRB-3890/PT 1

MGG:wlj:jm

Thus
at the
latest

D-N

Stays

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

Regen

1 **AN ACT** *to create* 20.485 (2) (tg) and 45.46 of the statutes; **relating to:**
2 establishment of a veterans court grant program and making an appropriation.

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

INS
ANL

3 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
4 the following amounts for the purposes indicated:

2013-14 2014-15

6 **20.485 Veterans Affairs, department of**

7 (2) **LOANS AND AIDS TO VETERANS**

8 (tg) Veterans court program SEG B 125,000 125,000

9 **SECTION 2.** 20.485 (2) (tg) of the statutes is created to read:

20.485 (2) (tg) *Veterans court program.* Biennially, the amounts in the schedule for the veterans court program under s. 45.46.

SECTION 3. 45.46 of the statutes is created to read:

45.46 Veterans court grant program. The department shall establish a grant program to provide funding to counties for the operation of veterans courts, through which veterans who are accused of or convicted of crimes are offered alcohol and drug treatment programs, alternatives to prosecution or incarceration, or other types of assistance that meet their needs as defendants. The department shall establish criteria for awarding grants under this program.

SECTION 4. Fiscal changes.

(1) In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of veterans affairs under section 20.485 (2) (tf) of the statutes, as affected by the acts of 2013, the dollar amount is decreased by \$250,000 for the first fiscal year of the fiscal biennium in which this subsection takes effect to provide funding for the veterans court grant program established under section 45.46 of the statutes, as created by this act.

(END)

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3890/P2ins
MGG:.....

INSERT ANL

Under current law, the Department of Justice administers a program that provides grants to counties to work with persons, other than violent offenders, who have been charged with or convicted of crimes and who abuse alcohol or drugs with the goal of providing them alternatives to incarceration such as deferred prosecution and counseling based on the principles of restorative justice. Under current law, a violent offender is one who has one or more prior convictions for a felony involving the use or attempted use of force with the intent to cause death or seriously bodily harm and is now being charged with, or has now been convicted of, a similar offense.

A county receiving a grant must provide persons participating in the program with social services, including treatment for substance abuse, mental health treatment, and assistance in finding employment and housing. Under the bill, a county must provide matching funds that are equal to 25 percent of the amount of the grant for the program, and a person participating in the program must pay a reasonable amount for any substance use or mental health treatment he or she receives in the program, based on his or her income and available assets. ^{current law}

This bill creates a similar grant program to be administered by the Department of Veterans Affairs for veterans who have been charged with or convicted of crimes and who are not violent offenders. Under this program, the veteran participating in the program need not abuse alcohol or drugs in order to be eligible.

INS 2-9

Fixed
Comp.

SECTION 1. 45.46 of the statutes is amended to read:

^{incarceration}
^{created}
45.46 Alternatives to incarceration grant program. (1) DEFINITION. ^{no Cs} (IN

this section, "violent offender" means a person to whom one of the following applies:

(a) The person has been charged with or convicted of an offense in a pending case and, during the course of the offense, the person carried, possessed, or used a dangerous weapon; the person used force against another person ^{or} a person died or suffered serious bodily harm.

(b) The person has one or more prior convictions for a felony involving the use or attempted use of force against another person with the intent to cause death or serious bodily harm.

1 (2) PROGRAM; PROJECTS. The department shall provide grants to counties to
2 enable them to establish and operate a program for veterans who are charged with
3 or convicted of crimes. The program shall include a suspended and deferred
4 prosecution project for veterans and a project based on principles of restorative
5 justice that provide alternatives to prosecution and incarceration for such veterans.
6 The department shall ^{provide} make the grants from the appropriation under s. 20.485 (2)
7 (tg). ↓

8 (3) ELIGIBILITY. A county shall be eligible for a grant to establish a program ^{STET}
9 under this section if all of the following apply:

10 (a) The program is designed to meet the needs of veterans who, in that county,
11 ^{have} may be or ~~has~~ been charged with or who have been convicted of a crime.

12 (b) The program is designed to promote public safety, reduce prison and jail
13 populations, reduce prosecution and incarceration costs, reduce recidivism, and
14 improve the welfare of veterans' families by meeting the comprehensive needs of
15 veterans. ✓

16 (c) The program will provide services to veterans that are consistent with
17 evidence-based practices in substance abuse treatment and mental health
18 treatment, as determined by the department of health services. ✓

19 (d) The program will provide mental health treatment services and treatment
20 for substance abuse through providers that are certified by the department of health
21 services. ✓

22 (e) The program will provide holistic treatment to ^{will} the veterans participating
23 in the program and ~~provide~~ them services that may be needed, as determined under
24 the program, to do all of the following:

25 1. Eliminate or reduce their substance abuse.

- 1 2. Improve their mental health.
- 2 3. Help them achieve gainful employment.
- 3 4. Provide opportunities for ^{for} their education or training.
- 4 5. Provide them stable housing.
- 5 6. Facilitate family reunification.
- 6 7. Help them address issues regarding payment of family support ^{and} and other
- 7 court-ordered obligations.

8 (f) The program will provide intensive case management.

9 (g) The program will use graduated sanctions and incentives to promote

10 successful treatment for substance abuse.

11 (h) The program is designed to integrate all mental health services provided

12 by state and local government agencies and other organizations to a veteran

13 participating in the program. The program shall require regular communication

14 among all of the following persons:

- 15 1. The veteran's case manager.
- 16 2. Any person providing services to the veteran for treatment of substance
- 17 abuse or ^{or} for mental health treatment.
- 18 3. Any person who is designated under the program to monitor the veteran's
- 19 compliance with his or her obligations under the program.
- 20 4. Any probation, extended supervision and parole agent the veteran may have.
- 21 5. Any other person who is providing other social services to the veteran.

22 (i) The program will have specific eligibility criteria ^{for a veteran's} ~~for a veteran's~~

23 ^{participating} ~~participating~~ ^{that} ~~participation.~~ The criteria shall specify that a violent offender is not eligible to

24 participate in the program.

1 (j) The program will require a veteran to pay a reasonable amount for any
2 substance ^{abuse} ~~use~~ or mental health treatment ^{he or she} receives in the program, based
3 on his or her income and available assets.

4 (k) The program will assist ^a ~~the~~ veteran in pursuing and using all possible
5 resources available through insurance and federal, state, and local aid programs,
6 including cash, vouchers, and direct services to assist in payment for any treatment
7 for substance abuse or for any mental health treatment [↑] he or she receives in the
8 program.

9 (L) The program will be developed with input from, and implemented in
10 collaboration with, all of the following:

11 1. One or more circuit court judges, the ^{who serve} ~~district~~ attorney, the state public
12 defender, and local law enforcement officials ⁱⁿ ~~serving~~ the county.

13 2. Each county agency that is responsible for providing social services,
14 including services relating to substance abuse, child welfare, mental health, and the
15 Wisconsin Works program.

16 3. The department of corrections, the department of children and families, and
17 the department of health services.

18 4. Private social services agencies that provide services to veterans in the
19 county.

20 5. Entities that provide substance abuse treatment to veterans in the county.

21 (m) The county complies with other eligibility requirements established by the
22 department to promote the objectives listed in pars. (a) and (b).

23 (4) JOINT APPLICATIONS. Two or more counties may jointly apply for and receive
24 a grant under this section. If counties submit a joint application, they shall include
25 with their application a written agreement specifying the role of each county in

1 developing, administering, and evaluating the program. Each county receiving the
2 grant shall provide the input and collaboration required under sub. (3) (L), and each
3 county shall ^{have} its own separate representatives, as required under sub. (7) (a) 1. to 6.,
4 on the oversight committee.

5 (5) AWARDING OF GRANTS. (a) The department shall award grants under this
6 section to counties on a competitive basis. A county may apply for a grant under this
7 subsection ^{section} regardless of whether the county has received a grant previously under
8 this section.

9 (b) The department shall inform any county that is applying for a grant under
10 this section whether the county meets the requirements established under sub. (3),
11 regardless of whether the county receives a grant.

12 (c) Any county that receives a grant under this section shall provide matching
13 funds that are equal to 25 percent of the amount of the grant. The department shall
14 assist ^{the} a county receiving a grant under this section in obtaining funding from other
15 sources for its program.

16 (6) CONTRACTS. In implementing a program that meets the requirements of
17 sub. (3), a county may contract with [^] or provide funding to [^] a religious organization
18 under s. 59.54 (27). ✓

19 (7) OVERSIGHT. (a) A county that receives a grant under this section shall create
20 an oversight committee to advise the county in administering and evaluating its
21 program. Each committee shall consist of all of the ^{representatives} following:
22

23 1. A circuit court judge, the district attorney or his or her designee, and the state
24 public defender or his or her designee.

2. The chairperson of the county board of supervisors or his or her designee.

1 3. A representative of each county agency ^{that} provides input under sub. (3)
2 (L) 2. ✓

3 4. A person representing the private social services agencies that provide input
4 under sub. (3) (L) 4. ✓

5 5. A person representing the entities that provide substance abuse treatment
6 under sub. (3) (L) 5. ✓

7 6. A county law enforcement officer.

8 (b) The chairperson of the county board of supervisors shall appoint the
9 representatives specified par. (a) 4., 5., and 6. ^{to} for the oversight committee.

10 (c) If the state public defender appoints a designee, he or she shall appoint an
11 attorney who is an employee of the state public defender and who represents
12 defendants in the county.

13 (d) A county that receives a grant under this section shall comply with any state
14 audits and shall submit an annual report to the department and to the oversight
15 committee created under par. (a) regarding the impact of the program on jail and
16 prison populations and its progress in attaining the objectives specified in sub. (3)

17 (b) and ~~(d)~~ ^(e)

18 (e) Every 2 years the department shall evaluate the provision of grant program
19 this section.

20 (8) TESTS FOR SUBSTANCE ABUSE. In a program funded by a grant under this
21 section, if urine collection for the purposes of a test for substance abuse results in the
22 exposure of the ^{genitals}, pubic area, buttock or anus of a veteran who is a participant
23 in the program, all of the following shall apply:

24 (a) The person conducting the urine collection for purposes of the test is of the
25 same sex as the participant.

1 (b) During the urine collection, the participant may not be visible to any person
2 who is not conducting the urine collection.

3 (c) The urine collection is not recorded through a visual or sound recording.

4 (d) The participant's genitals, pubic area, buttock, and anus are not subject to
5 any physical inspection beyond observation of the urine collection.

6 (e) All staff of the program strive to preserve the dignity of the participant
7 during the test.

End of inset 2-9

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3890/P1dn

MGG:wlj:jm

Stays

Date

In your review of this draft, please compare it with s. 169.95, stats. and let me know if you want any changes.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215
E-mail: mary.gibson-glass@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3890/1dn
MGG:wlj:jm

February 20, 2014

In your review of this draft, please compare it with s. 169.95, stats., and let me know if you want any changes.

Mary Gibson-Glass
Senior Legislative Attorney
Phone: (608) 267-3215
E-mail: mary.gibson-glass@legis.wisconsin.gov

Rose, Stefanie

From: Knocke, Ryan
Sent: Thursday, February 20, 2014 2:59 PM
To: LRB.Legal
Subject: Draft Review: LRB -3890/1 Topic: Grant for specialized court for veterans

Please Jacket LRB -3890/1 for the ASSEMBLY.